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**CERTIFICATE OF MAILING**

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12-21-01  
Melissa Spanzillo  
Melissa Spanzillo  
Clifford Chance Rogers & Wells LLP

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Docket No. 6311-009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mann et al.

Filed: April 24, 2001

Group Art Unit: 2121

Serial No: 09/841,219

Examiner: to be determined

For: PERFORMANCE MEASUREMENT AND MANAGEMENT

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon.

Applicants respectfully request the Examiner's consideration of the cited reference and entry into the record of this application and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Also enclosed is a Search Report issued on December 5, 2001 for a foreign counterpart of the present patent application, in which the presently disclosed references were cited. Since a translation of the Search Report is also enclosed, it is believed that the applicants in the above-identified patent application have now met the "concise explanation" requirement of 35 C.F.R. 1.98.

The present Information Disclosure Statement has been submitted prior to the receipt of an Office Action in this application. Accordingly, no fee is due. However, in the event that a first Office Action was mailed on or before the date of submission of this disclosure statement, the Commissioner is hereby authorized to charge any fees to deposit Account No. 50-0521.

Date:

12/14/01

Respectfully submitted,

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FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Serial No. 09/841,219

Inventors: Mann et al.

Docket No. 6311-009

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,765,138	6/9/98	Aycock et al.	705	7	8/23/95
		5,924,072	7/13/99	Havens	705	1	1/6/97
		5,999,908	12/7/99	Abelow	705	1	9/19/97
		6,131,085	10/10/00	Rossides	705	1	8/28/96

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION

## OTHER DOCUMENTS

EXAMINER INITIAL		AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
		Copy of International Search Report dated December 5, 2001 for PCT/US01/13174

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 [6-4]